

REMARKS

This application has been reviewed in light of the Office Action dated March 22, 2006. Claims 27-38 are presented for examination. Claims 1-26 have been cancelled, without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 27-38 have been added to provide Applicants with a more complete scope of protection. Claims 27 and 33 are in independent form. Favorable reconsideration is requested.

Applicants note with appreciation that all of the references cited in the Information Disclosure Statements (IDS) filed March 12, 2004, March 17, 2004, August 20, 2004, April 29, 2005 and May 2, 2005 have been considered, as indicated by the Examiner's initials on the associated PTO-1449 forms. Applicants note that three of the references cited in the IDS filed March 19, 2004 were not considered by the Examiner. Applicants submit herewith a supplemental IDS citing those references and providing copies thereof.

The specification was objected to by the Examiner because of an informality in the abstract. That informality has been corrected.

Claims 1, 2, and 9 were objected to because of a number of informalities. Applicants believe that the cancellation of the claims renders the objections of those claims moot.

Claims 1-8, 13, and 22-26 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 and 10-15 of copending U.S. Application No. 10/883,458. Applicants believe that the cancellation of the claims renders the provisional rejections moot.

Claims 1-26 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,853,894 (“Kolls”). This rejection has been rendered moot by the cancellation of these claims. Applicants nevertheless will address this cited art with respect to the new claims.

Kolls relates to a global network based vehicle safety and security system and method, wherein a global network based data processing resource can wirelessly data-communicate with an in-vehicle device to control and monitor vehicle safety and security. The data communicated between the vehicle and global network based data processing resources can control, monitor, and track the vehicle as well as data-communicate command and control functions, such as disabling vehicle operation. The in-vehicle device is capable of remotely monitoring vehicle performance, for data communicating Internet based content, and for controlling vehicle operation.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Generally speaking, claim 27 relates to a method for facilitating performance tracking in which a task work time, specific to a resource, is associated with a project task in the resource engine. The task work time represents a time period that the resource was in a work environment, and may be computed based at least on two different time values. The association of the task work time with a project task allows an employer to manage a project, *e.g.*, to predict how much time and how many resources would be needed to complete a project. The association of the task work time with a project task

also solves the problem where, for example, an employer assumes that a resource is logging eight hours a day on a project, but in reality, the resource may only be logging five hours. Such assumption is overcome because the method according to the present invention provides an automatic tracking of a resource's task work time that is associated with a project.

Nothing has been found in Kolls that would teach or suggest a method for facilitating performance tracking comprising, *inter alia*, "computing a task work time representing a time period that the resource was in a work environment, based at least on the first time value and the second time value; and associating the resource identifier and the task work time with the project task in the resource engine," as recited in claim 27.

Accordingly, it is respectfully submitted that claim 27 is patentable over Kolls.

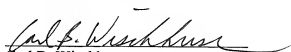
Independent claim 33 recites features similar to those discussed above with respect to claim 27 and therefore is also believed to be patentable over Kolls for at least the reasons discussed above.

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carl B. Wischhusen", written in dark ink.

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